

IN THE DISTRICT COURT OF GUAM
TERRITORY OF GUAM
CRIMINAL MINUTES

FILED

DISTRICT COURT OF GUAM

MAR - 6 2006

MARY L.M. MORAN
CLERK OF COURT

CASE NO. CR-05-00053

DATE: 03/06/2006

HON. JAMES L. ROBART, Designated Judge, Presiding

Law Clerk: NONE PRESENT

Court Reporter: Wanda Miles

Courtroom Deputy: Virginia T. Kilgore

Electronically Recorded: 1:59:54 - 2:05:53

CSO: B. Benavente / P. Tajeron

***** APPEARANCES *****

DEFT: CHRISTOPHER M. ESPINOSA

ATTY: JOYCE TANG for G. PATRICK CIVILLE

(X) PRESENT (X) CUSTODY () BOND () P.R.

() PRESENT () RETAINED () FPD (X) CJA APPOINTED

DEFT: BRIAN WILLIAM ELM

ATTY: CURTIS VAN DE VELD

(X) PRESENT (X) CUSTODY () BOND () P.R.

(X) PRESENT () RETAINED () FPD (X) CJA APPOINTED

U.S. ATTORNEY: RUSSELL STODDARD

AGENT: CRAIG HALES, U.S. POSTAL INSPECTOR

U.S. PROBATION: JOHN SAN NICOLAS

U.S. MARSHAL: V. ROMAN / G. PEREZ

PROCEEDINGS: FINAL PRETRIAL CONFERENCE

- () DEFENDANT SWORN AND EXAMINED: AGE: _____ HIGH SCHOOL COMPLETED: _____
() DEFENDANT ARRAIGNED AND ADVISED OF HIS RIGHTS, CHARGES AND PENALTIES
() REMOVAL/IDENTITY HEARING () CONDUCTED () WAIVED () SET FOR: _____ at _____
() WARRANT OF REMOVAL ISSUED
() GOV'T SUMMARIZES THE EVIDENCE () GOV'T SUBMITS TO THE PLEA AGREEMENT
() COURT QUESTIONS DEFENDANT REGARDING HIS PHYSICAL AND MENTAL CONDITION, AND ADVISES DEFENDANT OF THE NATURE AND POSSIBLE CONSEQUENCES OF SAID PLEA
() DEFENDANT WAIVES READING OF () COMPLAINT () INFORMATION () INDICTMENT
() COURT ORDERS PLEA AGREEMENT SEALED
() COURT REJECTS PLEA AGREEMENT AND REFERS IT TO: _____ FOR RECOMMENDATION.
() PRESENTENCE REPORT ORDERED AND DUE: _____
() PRELIMINARY EXAMINATION SET FOR: _____
() ARRAIGNMENT SET FOR: _____ at _____
() TRIAL SET FOR: _____

- (X) DEFENDANTS TO REMAIN IN THE CUSTODY OF THE U.S. MARSHAL SERVICE FOR () PROCESSING (X) DETENTION
() DETENTION HEARING REQUESTED BY _ GOV'T _ DEFT IS SET FOR: _____ at _____

NOTES:

The Court addressed Mr. Espinosa's motion to continue trial. Mr. Van de Veld moved the Court to continue the trial for 30 days and stated that he recently received 600 additional pages of discovery. Ms. Tang informed the Court that there is a consensus to put the trial over until the first week of April. Government counsel concurred. The Court granted the motion to continue the trial date until April 3, 2006 at 9:30 a.m and extended the pretrial motions filing date to March 15, 2006. The Court instructed government counsel to submit a proposed order no later than March 13, 2006, which includes the language of the waiver of speedy trial and the setting of the new trial date approved by all parties.